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NSC STAFF FOR WATERS

E.O. 12958: N/A  
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SUBJECT: EGYPT: BAHAI CASE POSTPONED UNTIL DECEMBER 2

REF: CAIRO 6756

Sensitive but unclassified. Please protect accordingly.

¶1. (SBU) As anticipated (reftel), on November 20 Egypt's Supreme Administrative Court (SAC) again postponed the GOE's appeal of an April 4 decision by a lower administrative court, which had ruled that Egypt's Baha'is have the right to receive GOE identity cards. The SAC acknowledged receipt of the Commissioner's Advisory Report (reftel), which clears the way for substantive oral arguments by the two sides. The next hearing in the case is scheduled for December 2.

¶2. (SBU) Poloff's attendance at the November 20 hearing generated substantial interest from the local press in attendance, and prompted an objection in the courtroom from Islamist lawyer Nabih El-Wahsh, who is supporting the GOE's appeal of the case. Wahsh protested to the five judge panel that "foreigners from the American Embassy" were present. The chief judge reminded Wahsh that the hearing was open to the public. Later, as poloff exited the courtroom at the conclusion of the hearing, Wahsh and approximately a dozen supporters yelled insults at the Embassy, the USG, and President Bush.

¶3. (SBU) Several local newspapers, including Al-Wafd and Rose El-Yousef, ran brief factual reports on November 21 regarding the postponement of the case and noting the angry reaction of lawyer Wahsh to poloff's presence in the courtroom.

¶4. (SBU) Comment: Wahsh is notorious in Egyptian legal circles for his advocacy of various Islamist causes. In 2001, for example, he filed an unsuccessful lawsuit seeking to order the divorce of Nawaal Al-Sadawi, the famous feminist writer, from her husband on the grounds that Sadawi had blasphemed Islam. Wahsh has also unsuccessfully advocated for the resignation of the Shaykh Al-Azhar for meeting with the Israeli Chief Rabbi, and has involved himself in several efforts to ban "un-Islamic" books and to censor their authors.  
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